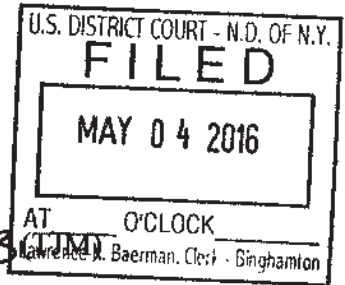


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

v.

BRANDON KIE,

Defendant.

) Criminal No. 3:16-CR-153 (TMD)
)
) **Indictment**
)
) Violations: 18 U.S.C. § 2252A(a)(2)(A)
) & (b)(1)
) [Receipt of Child
) Pornography]
)
) 18 U.S.C. § 2252A(a)(5)(B) &
) (b)(2)
) [Possession of Child
) Pornography]
)
)
)
)
) 3 Counts
)
) County of Offense: Broome

THE GRAND JURY CHARGES:

COUNT 1

[Receipt of Child Pornography]

On or about October 10, 2014, in Broome County, in the Northern District of New York, defendant **BRANDON KIE**, knowingly received child pornography, using a means and facility of interstate and foreign commerce shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, in that the defendant received a video file titled "[MB] 2011 SANY 7yo boy fully molested by uncle Tim.avi" depicting a minor engaged in sexually explicit conduct,

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) & (b)(1).

COUNT 2
[Receipt of Child Pornography]

On or about September 24, 2014, in Broome County, in the Northern District of New York, defendant **BRANDON KIE**, knowingly received child pornography, using a means and facility of interstate and foreign commerce shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, in that the defendant received a video file titled "TaraAnalColl.avi" depicting a minor engaged in sexually explicit conduct,

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) & (b)(1).

COUNT 3
[Possession of Child Pornography]

On or about October 22, 2014, in Broome County, in the Northern District of New York, defendant **BRANDON KIE**, knowingly possessed material that contained images of child pornography that had been shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, by any means, including by computer, and that were produced using materials which had been shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer, that is an HP Pavilion Elite e9220y personal computer which contained numerous digital images and videos of one or more minors engaged in sexually explicit conduct,

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) & (b)(2).

The above violation involved digital images and videos of child pornography involving prepubescent minors and minors who had not attained 12 years of age, in violation of Title 18, United States Code, Section 2252A(b)(2).

FORFEITURE ALLEGATION

1. The allegations contained in Counts 1, 2, and 3 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 2253.

2. Pursuant to Title 18, United States Code, Section 2253, upon conviction of offenses in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) & (b)(1) and 2252A(a)(5)(B) & (b)(2), the defendant, **BRANDON KIE**, shall forfeit to the United States of America any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses. The property to be forfeited includes, but is not limited to, the following:

a. One HP Pavilion Elite e9220y personal computer, serial number 3CR9390FS2.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

May 4, 2016

A TRUE BILL, **REDACTED**

[REDACTED]

Grand Jury Foreperson

RICHARD S. HARTUNIAN
United States Attorney

By:


Miroslav Lovric
Assistant United States Attorney